

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

United States of America,  
Respondent/Plaintiff  
v.  
William Bonaparte,  
Petitioner/Defendant

2:12-cr-00132-JAD-CWH-2

## Order Directing Response

On December 14, 2016, petitioner William Bonaparte filed a § 2254 motion to vacate his §924(c) conviction and sentence, arguing that they are no longer valid in light of the United States Supreme Court’s decision in *Johnson v. United States*,<sup>1</sup> in which the Court held that the ACCA’s residual clause is unconstitutionally vague.<sup>2</sup> Rule 4 of the Rules Governing Section 2255 Cases in the United States District Courts directs me to promptly examine § 2255 motions and, unless it plainly appears that the movant is not entitled to relief, direct the government to file a response. Having reviewed Bonaparte’s motion and the record in this case under this standard, I find that a response is warranted.

18 IT IS HEREBY ORDERED that the government must file a response to Bonaparte's  
19 motion [ECF No. 198] by February 19, 2017. Bonaparte will have 30 days from service of the  
20 government's response to file a reply.

21 Dated this 4th day of January, 2017.

Jennifer A. Dorsey  
United States District Judge

<sup>28</sup> <sup>1</sup> *Johnson v. United States*, 135 S. Ct. 2551 (2015).

<sup>2</sup> ECF No. 198.